

REMARKS

The Office rejects claims 1-9 in the subject application. Applicant amends claim 3 in this Response. Claims 1-9 (2 independent claims; 9 total claims) remain pending in the application.

Support for the various amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

35 U.S.C. §112 REJECTION

The Examiner rejects claim 3 under 35 U.S.C. §112 (second paragraph) as allegedly being indefinite. The Examiner alleges that it is unclear what "store the encrypted content key", the storage device, or the mutual authentication section are.

Applicants have amended claim 3 to provide greater clarity. Accordingly, it is submitted that the rejection under 35 U.S.C. §112 (second paragraph) has been overcome.

35 U.S.C. §103 REJECTIONS

The Examiner rejects claims 1-9 under 35 U.S.C. §103(a) as allegedly being unpatentable over Angelo (U.S. Patent No. 5,923,754, issued July 13, 1999 to Compaq Computer Corporation) in view of a newly cited reference Venkatesan (U.S. Patent No. 6,801,999, issued October 5, 2004, assignee is Microsoft Corporation).

Applicants thank Examiner Ponnoreay Pich for conducting a personal interview with the Applicant's representatives (Dhiren Odedra and Yoshinobu Idogawa) on December 14, 2005 at the United States Patent and Trademark Office. The Applicant's representatives presented arguments traversing the prior art rejection. **As reflected in the attached Interview Summary (form PTOL-413), Examiner Pich was persuaded by the Applicant's arguments and agreed to withdraw the 35 U.S.C. §103 prior art rejection. A Substance of the Interview is provided next.**

Applicants respectfully traverse the Examiner's aforementioned prior art rejection and submit that the present invention, at least as claimed in each of independent claims

1 and 6, clearly patentably distinguishes over the prior art for at least the following reasons.

It is noted that the Examiner has relied upon the description of the watermarking keys contained in column 7 (lines 48-51) of the Venkatesan reference for allegedly disclosing the feature of determining whether or not a value of the content-key storage section in its initial state and a current value of the content-key storage section are different, as recited in each of independent claims 1 and 6 of the present application.

The Applicants disagree with the Examiner's aforementioned position.

Particularly, it is noted that the Venkatesan reference discloses that a watermark key (K) can be associated with issue and expiration times T_i and T_e at which the key has been issued and will expire, respectively [column 8 (lines 1-4)]. When such a key expires, a key manager requires a client PC to contact a watermarking authority (WA) to obtain a replacement watermark key [column 7 (lines 48-52)]. If an existing watermark key K is compromised, then a new watermark key (K') with its corresponding issue time T'_i and expiration time T'_e are issued and distributed to client PCs which have been using the compromised key (K) [column 3 (lines 8-12)]. As such, the client PC will have two watermark keys K and K' and all watermarked objects will be watermarked using both key K and key K' [column 8 (lines 12-16)]. The Venkatesan reference does not disclose or suggest determining whether or not watermarked keys in an initial state and watermarked keys in a current state are different.

In view of the foregoing, the Applicants submit that the Venkatesan reference fails to disclose or suggest the features of determining "that the value of the content-key storage section in its initial state and the current value of the content-key storage section are different" or "whether or not a value of the content-key storage section in its initial state and a current value of the content-key storage section are different" as particularly recited in each of independent claims 1 and 6 of the present application.

Accordingly, as agreed to by the Examiner in the Interview Summary form, it is submitted that the prior art rejection under 35 U.S.C. §103(a) should be withdrawn.

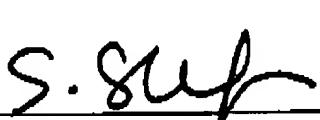
CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned if he or she has any questions whatsoever regarding this Response or the present application in general.

Respectfully submitted,

Date: 1-6-06

By:



S. Shahpar

Shahpar Shahpar
U.S. Reg. No. 45,875

SNELL & WILMER L.L.P.
400 East Van Buren
Phoenix, Arizona 85004-2202
Phone: (602) 382-6306
Fax: (602) 382-6070
Email: sshahpar@swlaw.com

Interview Summary	Application No.	Applicant(s)	
	09/629,763	SHIBATA ET AL.	
Examiner Ponnoreay Pich	Art Unit 2135		

All participants (applicant, applicant's representative, PTO personnel):

(1) Ponnoreay Pich. (3) Yoshinobu Idogawa.

(2) Dhiren Odedra. (4) _____.

Date of Interview: 14 December 2005.

Type: a) Telephonic b) Video Conference
c) Personal (copy given to: 1) applicant 2) applicant's representative)

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____

Claim(s) discussed: 1-9.

Identification of prior art discussed: Angelo and Venkatesan.

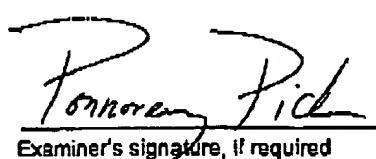
Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed how Venkatesan does not read on the determining whether or not a value of the content-key storage section in its initial state and a current value of the content-key storage section are different. Examiner agrees to withdraw 103 art rejection.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
 A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 612.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.